THE MYSORE WEIGHTS AND MEASURES (ENFORCEMENT) ACT, 1959.

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MYSORE ACT No. 2 OF 1959

(*First published in the* Mysore Gazette *on the Twenty-second day of January* 1959).

THE MYSORE WEIGHTS AND MEASURES (ENFORCEMENT) ACT, 1958.

(*Received the assent of the President on the Fourteenth day of January* 1959)

AN ACT TO PROVIDE FOR THE ENFORCEMENT OF STANDARD WEIGHTS AND MEASURES AND FOR MATTERS CONNECTED THEREWITH.

WHEREAS it is expedient to provide for the enforcement of standard weights and measures and for matters connected therewith ;

BE it enacted by the Mysore State Legislature in the Ninth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. *Short title, extent and commencement.*—(1) This Act may be called the Mysore Weights and Measures (Enforcement) Act, 1958.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force on such date as the State Government, may, by notification in the official Gazette, appoint and different dates may be appointed for different provisions of this Act or for different areas or for different classes of undertakings or for different classes of goods.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "commercial weight or measure" means a weight or measure purporting to be a standard weight or measure used in any transactions for trade or commerce ;

(b) "Controller" means the Controller of Weights and Measures appointed under section 15 ;

(c) "Inspector" means an Inspector of Weights and Measures appointed under section 15 ;

(d) "measuring instrument" means any measuring instrument other than a weighing instrument and includes any instrument for the measurement of length, area, volume or capacity ;

(e) " Mint " means the mint of the Central Government either in Bombay or in Calcutta ;

(f) " prescribed " means prescribed by rules made under this Act ;

(g) " standard weight or measure " means any unit of mass or measure referred to in sub-section (1) of section 13 of the Standards of Weights and Measures Act, 1956 (Central Act 89 of 1956) and includes any other weight or measure permitted to be continued to be used by the Central Government in pursuance of sub-section (1) of section 14 of the said Act ;

(h) " reference standards " means the sets of standard weights and measures supplied to the State Government by the Central Government in pursuance of sub-section (2) of section 15 of the Standards of Weights and Measures Act, 1956 ;

(i) " Rules " means rules made under section 42 ;

(j) " stamping " includes casting, engraving, etching, branding or otherwise marking in such manner as to be, so far as practicable, indelible and the expression " stamp " and other expressions relating thereto shall be construed accordingly ;

(k) " verification " with its grammatical variations used with reference to a weight or measure or weighing or measuring instrument, includes the process of comparing, checking or testing such weight or measure or weighing or measuring instrument and also includes re-verification ;

(l) " weighing instrument " means any instrument used for weighing and includes scales with the weights belonging thereto, scale 1 beams, balances, spring balances, steel, yards and other weighing machines.

CHAPTER II

Standard Weights and Measures

3. *Working standards.*—(1) For the purpose of verifying the correctness of commercial weights and measures and weighing and measuring instruments used in transactions for trade or commerce, the State Government shall cause to be prepared such number of authenticated sets of standard weights and measures as it may think fit to be working standards, and special sets of working standards in relation to bullion and precious stones may also be prepared.

(2) The working standards shall be made of such material and according to such designs and specifications and shall be prepared by such agency and shall be stamped and authenticated by such person or authority and in such manner as may be prescribed.

(3) The working standards shall be kept by such officers as the State Government may direct at such places, and in such manner as may be prescribed.

(4) A working standard shall be verified with the secondary standard and marked by such persons, at such places, at such intervals and in such manner as may be prescribed :

Provided that a special working standard in relation to bullion and precious stones shall be verified with the reference standard.

(5) A working standard which is not so verified and marked within the prescribed period shall not be deemed legal or be used for the purposes of this Act.

(6) A working standard which has become defective shall not be deemed legal or be used for the purposes of this Act, until it has been verified and marked in the prescribd manner.

4. *Secondary standards.*—(1) For the purpose of verifying the correctness of the working standards, the State Government may cause to be prepared at the Mint, such number of authenticated sets of standard weights and measures as them may think fit. Such sets shall be called the secondary standards.

(2) The secondary standards shall be made of such material and according to such design and specifications as may be prescribed and shall be stamped and authenticated by such person or authority as the Central Government may direct.

(3) The secondary standards shall be kept by such officers, as the State Government may direct, at such places, and in such manner as may be prescribed.

(4) A secondary standard shall be verified with the reference standard at least once in every period of five years and shall be marked with the date of verification in the prescribed manner by such person or authority as the State Government may direct.

(5) A secondary standard which is not so verified and marked within the aforesaid period shall not be deemed legal and shall not be used for the purpose of this Act.

5. *Reference Standards.*—The reference standards shall be kept by such officers, at such places, and in such manner as the State Government may direct.

6. *Standard weighing and measuring instruments.*—(1) For the purpose of verifying the correctness of commercial weights and measures or weighing and measuring instruments used in transactions for trade or commerce, the State Government may cause to be prepared as many sets of weighing and measuring instruments as it may deem necessary.

(2) Such instruments shall be of such kind, kept in such number and shall be verified and stamped in such manner as may be prescribed.

(3) Such instruments shall be kept at all places where secondary standards or working standards are kept.

7. *Prohibition of use of weights and measures other than standard weights and measures.*—(1) Notwithstanding anything contained in any other law or any custom, usage or practice, no unit of mass or measure, other than the standard weights or measures shall be used in any transactions for trade or commerce or any dealing or contract or for any work to be done or goods to be sold or delivered in any area or class of goods or undertakings in respect of which this Act has come into force.

(2) Any custom, usage, practice or method of whatever nature which permits in any trade, a trader, seller or buyer to demand, receive or cause to be demanded or received any quantity of article in excess of, or less than, the quantity fixed by the weight or measure by which the contract or dealing in respect of the said article has been made, shall be void.

(3) Any transaction, dealing or contract, had or made after the expiry of three months from the commencement of this Act, shall, in so far as it contravenes the provisions of sub-section (1), be void.

8. *Power to prescribe the use of weights only, or measures only, in certain cases.*—Notwithstanding anything contained in this Act, the State Government may, by notification in the official Gazette, direct that in any specified trade or class of trades, no transaction, dealing or contract shall be made or had except by weight only, or except by measure only, and such notification shall take effect in such area, with effect from such date, and subject to such conditions, if any, as may be specified therein.

CHAPTER III

Verification and Stamping of Weights and Measures

9. *Marking of denominations on weights and measures.*—Every weight or measure manufactured for use as commercial weight or measure shall bear the description which it purports to be, marked legibly on it in such manner as may be prescribed.

10. *Prohibition of sale of unstamped weights and measures.*—No commercial weight or measure or weighing or measuring instrument shall be sold or delivered unless it has been verified or reverified in accordance with the rules made under this Act and stamped in the prescribed manner by an Inspector with a stamp of verification under this Act.

11. *Prohibition of use of unstamped weights or measures.*—No weight or measure or weighing or measuring instrument shall be used in transactions in trade or commerce unless it has been verified or reverified in accordance with the rules made under this Act and stamped in the prescribed manner by an Inspector, with a stamp of verification under this Act.

12. *Power of State Government to exempt.*—Where the size of a commercial weight or measure renders it impracticable to have any denomination marked on it under the provisions of section 9 or to be stamped under the provisions of section 10 or section 11, the State Government may, by notification in the official Gazette, exempt such weights or measures from being so stamped.

13. *Prohibition against manufacture, etc., of weights and measures without licence.*—No person shall, in course of any trade, manufacture, repair or sell any commercial weight or measure or any weighing or measuring instrument unless has obtained in the prescribed manner a licence in this behalf from the State Government or such officer as the State Government may authorise in this behalf.

14. *Marking of weights or measures on sealed containers.*—No person shall sell, offer for sale, expose for sale, or have in his possession for sale, any article contained in a sealed package or container unless such package or container bears thereon, or on a label securely attached thereto, a description of the net weight or measure of the article contained therein;

Provided that the provisions of this section shall not apply to an article sold, offered for sale, exposed for sale, or in possession for sale which is not ordinarily sold in transactions for trade or commerce by weight or measure.

15. *Appointment of Controller, Assistant Controller and Inspectors.*—(1) The State Government may appoint a Controller of Weights and Measures for the State and as many Deputy Controllers, Assistant Controllers and Inspectors of Weights and Measures as may be necessary for exercising the powers and discharging the duties conferred or imposd on them by or under this Act.

(2) The State Government may, by general or special order define the local limits within which each Inspector shall exercise the powers and discharge the duties conferred or imposed on Inspctors by or under this Act.

(3) Subject to the provisions of this Act, all Deputy Controllers, Assistant Controllers and Inspectors of Weights and Measures shall perform their functions under the general superintendence and control of the Controller; and the Controller, Deputy Controllers and the Assistant Controllers of Weights and Measures may, in addition to the powers and duties conferred or imposed on them by or under this Act, exercise any power or discharge any duty so conferred or imposed on Inspectors.

(4) The Controller, every Deputy Controller, every Assistant Controller and every Inspector of Weights and Measures, appointed under sub-section (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

16. *Verification and stamping by Inspectors.*—(1) Every Inspector shall, for the purpose of verification of weights and measures and weighing and measuring instruments, attend at such place and time within his jurisdiction as may be appointed in this behalf by the Controller.

(2) The Inspector shall verify every weight or measure or weighing or measuring instrument which is brought to him for the purpose of verification and if he finds such weight or measure or weighing or measuring instrument to be correct and in conformity with the Standards of Weights and Measures Act, 1956 (Central Act 89 of 1956), and the rules made thereunder, he shall stamp the same with a stamp of verification in the prescribed manner.

17. *Power to ispect, etc.*—(1) An Inspector may, within the area under his jurisdiction, inspect at all reasonable times, the weights, measures and weighing and measuring instruments which are used in

transactions for trade or commerce or are in the possession of any person or are on any premises for such use and may verify every such weight or measure or weighing or measuring instrument with a secondary or working standard or weighing or measuring instrument prescribed for the purpose.

(2) For the purpose of verifying the correctness of any weight or measure used in any transaction, an Inspector may also verify the weight or measure of any article sold or delivered in the course of the transaction.

(3) An Inspector may, at all reasonable times, require any trader or any employee or agent of a trader to produce before him for inspection, all weights and measures and weighing and measuring instruments which are used by him or are in his possession or are kept on any premises used for trade and all documents and records relating thereto and such trader, employee or agent shall comply with such requirements.

(4) An Inspector may seize and detain any weight or measure or weighing or measuring instrument in respect of which an offence under this Act appears to have been committed or which appears to have been or which might be used in the commisison of such an offence, and may also seize and detain any articles sold or delivered or caused to be sold or delivered by means of such weight or measure or weighing or measuring instrument together with any documents or records relating thereto.

(5) Where an Inspector has reasons to believe that a sealed package or container does not actually contain the net weight or measure of the article which it purports to contain, he may break open the sealed package or container and verify its contents; and if, on such verification, the net weight or measure of the article is found to be correct, he shall reseal the package or container where it is possible so to do without injury to the contents thereof and attach a certificate thereto stating the corrcet weight or measure of the article, but if, on the other hand, the net weight or measure of the article is found to be incorrect, he may seize and detain the package or container and the article contained therein.

(6) For the purpose of inspection under this section an Inspector may, at all reasonable times, enter into any place where weights, measures or weighing or measuring instruments are used or kept for use in transactions for trade or commerce and inspect such weights and measures and weighing and measuring instruments.

18. *Inspector not to be maker, adjuster or seller of weights and measures or weighing or measuring instruments.*—An Inspector shall not be employed in the making, adjusting or selling of weights or measures, of weighing or measuring instruments :

Provided that in any area in which it appears to the State Government desirable that an Inspector should be allowed to adjust or sell weights or measures, or weighing or measuring instruments, the State Government may, if it thinks fit, authorise such Inspector to adjust or sell weights, measures, or such instruments accordingly.

19. *Manufacturers, etc., to maintain records and documents.*—(1) Every manufacturer, repairer or dealer in weights and measures or weighing or measuring instruments, and every person using them in transactions for trade or commerce shall maintain such records and accounts as may be prescribed and if required to do so by an Inspector, shall produce such records and accounts before him.

(2) Notwithstanding anything contained in sub-section (1), if the State Government is of opinion that having regard to the nature of business carried on by such manufacturer, repairer or dealer, it is necessary so to do, it may, by order, exempt such person or class of persons from the operation of that sub-section.

20. *Appeals.*—(1) Any person aggrieved by any decision of an Inspector under this Act may, within sixty days from the date of the decision, prefer an appeal to the Controller, or any Deputy Controller, or any Assistant Controller of Weights and Measures specially authorised in this behalf by the State Government.

(2) Any person aggrieved by any original decision of the Controller or a Deputy Controller, or an Assistant Controller of Weights and Measures under this Act, may within sixty days from the date of the decision, prefer an apeal to the State Government.

(3) On receipt of an apeal under sub-section (1) or (2), the appellate authority shall, after giving the person concerned a reasonable opportunity of being heard, decide the appeal and the decision of the appellate authority shall be final.

21. *Levy of fees.*—The State Government shall charge such fees—

(*a*) for the grant of a licence under section 13, for the manufacture, repair or sale of commercial weights and measures and weighing and measuring instruments ; and

(*b*) for the verification, marking, stamping and adjustment of commercial weights and measures and weighing and measuring instruments ;

as may be prescribed.

22. *Validity of weights and measures duly stamped.*—A weight or measure or weighing or measuring instrument, duly stamped by an Inspector under this Act, shall be a legal weight or measure or weighing or measuring instrument in all places in which this Act has come into force unless it is found to be false or defective and shall not be liable to be re-stamped by reason merely of the fact that it is used in any place other than that in which it was originally stamped.

CHAPTER IV.

PENALTIES.

23. *Penalty for sale or delivery by weight or measure other than standard weight or measure.*—Whoever, after the expiry of three months from the commencement of this section, sells or causes to be sold or delivers or causes to be delivered in the course of any transaction for trade or commerce any article by any denomination of weight or measure other than one of the standard weights or measures shall, on conviction, be punished with a fine which may extend to two thousand rupees and for every succeeding offence, with imprisonment for a period which may extend to three months and with fine.

24. *Penalty for sale of unstamped weights and measures.*—Whoever sells or delivers any weight or measure or any weighing or measuring instrument which has not been verified or re-verified or stamped in accordance with the provisions of this Act and the rules made thereunder shall, on conviction, be punished with fine which may extend to one thousand rupees.

25. *Penalty for use of unstamped weights and measures.*—Whoever uses in any transaction for trade or commerce, or has in possession for such use, any weight or measure or any weighing or measuring instrument which has not been verified or re-verified or stamped in accordance with the provisions of this Act and the rules made thereunder shall, on conviction, be punished for a first offence with fine which may extend to one thousand rupees, and for every succeeding offence, with imprisonment for a period which may extend to three months and with fine.

Explanation 1.—When any such weight or measure or weighing or measuring instrument is found in the possession of any trader or any empolyee or agent of such trader, such trader, employee or agent shall be presumed, until the contrary is proved, to have had it in his possession for use in transactions for trade or commerce.

Explanation 2.—Where any weight or measure or weighing or measuring instrument is used or possessed in contravention of this section by any employee or agent of a trader on behalf of such a trader, such trader shall, unless he proves that the offence under this section was committed by his employee or agent without his knowledge or consent, be also deemed to be guilty of such offence.

26. *Penalty for manufacture of weights, etc., wthout licence.*—If any person manufactures, repairs, or sells any weight or measure or weighing or measuring instrument, without obtaining a licence as required by section 13, shall, on conviction, be punished with imprisonment for a period which may extend to three months, or with fine, or with both.

27. *Penalty for use of weight or measure in contravention of section* 8.—Whoever contravenes any of the provisions of a notification issued under section 8 shall, on conviction, be punished with fine which may extend to one thousand rupees.

28. *Penalty for failure to mark weight or measure on sealed containers.*—Whoever contravenes the provisions of section 14 shall, on conviction, be punished with fine which may extend to one thousand rupees.

29. *Penalty for fraudulent use of weights, measure, etc.*—Whoever fraudulently uses any standard weight or measure or weighing or measuring instrument which he knows to be false, shall, on conviction, be punished with imprisonment for a period which may extend to one year, or with fine or with both.

30. *Penalty for being in possession of false weight or measure, etc.*—Whoever is in possession of any commercial weight or measure or weighing or measuring instrument which he knows to be false, intending that the same may be fraudulently used, shall on conviction be punished, with imprisonment for a period which may extend to one year, or with fine or with both.

31. *Penalty for making or for selling false weights or measure, etc.,*—Whoever makes, sells or disposes of or causes to be made, sold or disposed of any standard weight or measure or weighing or

measuring instrument which he knows to be false, in order that the same may be used as true, or knowing that the same is likely to be used as true, shall, on conviction, be punished with imprisonment for a period which may extend to one year, or with fine or with both.

32. *Penalty for giving short weight or measure.*—Whoever in selling any article by weight or measure, delivers or causes to be delivered to the purchaser less than what is purported to be sold shall, if the deficiency exceeds the prescribed limit of error, on conviction, be punished with fine which may extend to three hundred rupees.

33. *Penalty for forging, etc., of weights, measures, etc.*—(1) Whoever forges or counterfeits any stamp used under this Act for the stamping of any standard weight or measure or weighing or measuring instrument or possesses any such counterfeit stamp, or removes a stamp from any standard weight or measure or weighing or measuring instrument and inserts the same into another weight or measure or weighing or measuring instrument or wilfully increases or diminishes a weight or measure so stamped, shall on conviction be punished with imprisonment for a period which may extend to one year, or with fine, or with both.

(2) Whoever knowingly uses, sells, utters, disposes of or exposes for sale any weight or measure or weighing or measuring instrument with such forged or counterfeit stamp thereon, or a weight or a measure so increased or diminished, shall, on conviction be punished with imprisonment for a period which may extend to six months or with fine, or with both.

34. *Penalty for neglect or refusal to produce weight or measure, etc., for inspection.*—Whoever—

(*a*) refuses or neglects to produce for inspection under section 17, any weight or measure or weighing or measureing instrument or any document or record relating thereto in his possession or on his premises, or

(*b*) refuses to permit an Inspector to inspect and verify any such weight, measure, instrument, document or record; or

(*c*) obseructs the entry of an Inspector under section 17, or

(*d*) otherwise obstructs or hinders an Inspector in the performance of his duties under this Act,

shall, on conviction, be punished with fine which may extend to five hundred rupees.

35. *Penalty for breach of duty by inspector.*—If an Inspector knowingly stamps a weight or measure or weighing or measuring instrument in contravention of the provisions of this Act, or of the rules made thereunder, he shall, on conviction, be punished with imprisonment for a period which may extend to one year, or with fine, or with both.

CHAPTER V

MISCELLANEOUS

37. *Cognizance of offences, etc.*—(1) No court shall take cogni- servant of the State Government shall be liable in respect of any act in any civil or criminal proceeding if the act was done in good faith, in the course of the execution of duties or the discharge of the functions imposed by or under the Act.

37. *Cognizance of offences, etc.*—(1) No court shall take congizance of an offence punishable under this Act except upon a complaint in writing made by the Controller or any officer authorised in this behalf by the Controller by general or special order.

(2) No court inferior to that of a Magistrate of the First Class shall try any offence punishable under this Act.

38. *Stamped weights, etc., to be presumed to be correct.*—A weight or measure or weighing or measuring instrument duly stamped under the provisions of this Act and the rules made thereunder shall be presumed to be correct until its inaccuracy is proved, if it is produced in any court by any Inspector having charge thereof or by any person acting under the general or special authority of the Controller.

39. *Offences by companies.*—(1) If the person committing an offence under this Act is a company, every person who, at the time the offence was committed, was in-charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent

or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation :—For the purposes of this section :—

(*a*) " company " means any body corporate and includes a firm or other association of individuals ; and

(*b*) " director ", in relation to a firm, means a partner in the firm.

40. *Delegation of powers.*—The State Government may, by notification in the official Gazette, direct that any power exercisable by it under this Act or rules made thereunder shall, in relation to such matters and subject to such conditions, as may be specified in the direction be exercisable also by such officer or authority subordinate to the State Government as may be specified in the notification :

Provided that nothing contained in this section shall apply to any power of the State Government to make rules under this Act.

41. *Limits of error to be tolerated in weights and measures.*—Subject to any rules that may be made under the Standards of Weights and Measures Act, 1956 (Central Act 89 of 1956) in this behalf, the State Government may prescribe the limits of error which may be tolerated—

(*a*) in secondary standards referred to in section 4 ;

(*b*) in working standards referred to in section 3 ;

(*c*) in commercial weights and measures or in selling articles by weight or measure generally or as regards any trade or class of trades ; and

(*d*) weighing and measuring instruments.

42. *Power to make rules.*—(1) The State Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(*a*) the material of which and the designs and specifications according to which working standards may be made,

the agency by which such standards may be prepared, the person by whom or the authority by which and manner in which such standards may be stamped and authenticated the places at which and the custody and manner in which such standards may be kept;

(*b*) the procedure for the verification or re-verification and marking of working standards, the persons by whom, the places at which and the custody and manner in be marked;

(*c*) the material of which and the designs and specifications according to which secondary standards may be made the places at which and the custody and manner in which such standards may be kept;

(*d*) the procedure for the verification or re-verification and marking of secondary standards and the manner in which they may be marked;

(*e*) the number of weighing and measuring instruments to be kept, the manner in which they may be verified and stamped and necessary particulars regarding the same;

(*f*) the manner in which commercial weights and measures may be marked by manufacturers;

(*g*) the form and manner in which, and the conditions subject to which licence may be granted to persons for manufacture, repair or sale of commercial weights and measures and weighing and measuring instruments;

(*h*) the qualifications, functions and duties generally of Inspectors under this Act;

(*i*) verification and stamping of weights and measures and weighing and measuring instruments and the period with in which they are to be re-verified;

(*j*) inspection of weights and measures and weighing and measuring instruments used in transactions for trade or commerce;

(*k*) the seizure, detention and disposal of weights and measures which are not authorised by this Act;

(*l*) the books, accounts and records relating to weights and measures and weighing and measuring instruments to be maintained and the manner in which they may be maintained or produced;

(*m*) the limits of error which may be tolerated in secondary or working standards;

(*n*) the limts of error which may be tolerated in weights and measures and weighing and measuring instruments used or intended to be used in transactions for trade or commerce ;

(*o*) the limits of error which may be tolerated in selling articles by weight or measure generally or as regards any trade or class of trades ;

(*p*) the form and manner in which appeals may be preferred under section 20, and the procedure for hearing appeals ;

(*q*) the fees which may be charged for the grant of licences under section 13 and for verification, re-verification, adjustment and stamping of weights and measures and weighing and measuring instruments and the collection and levy of the same ;

(*r*) any other matter which has to be, or may be, prescribed.

(3) In making any rule under this section, the State Government may provide that a breach thereof shall be punishable with fine which may extend to five hundred rupees.

(4) The power to make rules under this section shall be subject to the condition of previous publication in the official Gazette.

43. *Rules and orders to be laid before the State Legislature.*— Every notification issued under section 8 or section 12 and every rule made under section 42 shall as soon as may be after it is issued, be laid before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions and if befre the expiry of the said period, either House of the State Legislature makes any modification in the notification or rule, or directs that the notification or rule shall not have effect and if the modification or direction is agreed to by the other House, the notification or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be.

44. *Repeal and savings.*—(1) On the coming into force of this Act, 1958 or any part thereof in any area or areas—

the Bombay Weights and Measures Act, 1932 (Bombay Act XV of 1932), as in force in the Bombay Area ; the Coorg Weights and Measures Act, 1954 (Coorg Act VII of 1954) as in force in the Coorg District ; the Hyderabad Weights and Measures Act, 1356F

(Hyderabad Act XIV of 1356 Fasli) as in force in the Hyderabad Area; the Madras Weights and Measures Act, 1948 (Madras Act XXII of 1948) as in force in the Madras Area;

the Madras Weights and Measures Act, 1948 (Madras Act XXII of 1948) as in force in the Bellary District; the Mysore Measures of Length Act, 1890 (Mysore Act III of 1890) and the Mysore Weights and Measures Act, 1902 (Mysore Act III of 1902) as in force in the Mysore Area, shall, to the extent to which they contain any provision which corresponds to any provision of this Act, stand repealed in such area or eareas :

Provided that such repeal shall not affect—

(*a*) the previous operation of the said enactments or anything duly done or suffered thereunder ; or

(*b*) any right, privilege, obligation or liability acquired accrued or incurred under the said enactments ; or

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said enactments ;

or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punshment may be imposed as if this Act had not been passed :

Provided further that all appointments made, notifications and notices issued, rules, bye-laws and orders made, contracts entered into under any repealed enactments shall, so far as they are not inconsistent with the provisions of this Act and the Rules, continue in force and be deemed to have been made, issued and entered into under this Act.

(2) If, immediately before the commencement of this Act or any provision thereof in respect of any area or class of goods or undertakings, there is in force in respect of that area or class of goods or undertakings, any law which corresponds to this Act or to any provision thereof and which is not repealed by sub-section (1), that corresponding law shall stand repealed.